

Exhibit “S”

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PERSHING COUNTY DISTRICT ATTORNEY'S OFFICE
FAX TRANSMITTAL FORM

SENT TO: Ray Allen
FAX NO.: 415-865-3820
DATE: 6/5/12
RE: District Attorney v. County Commissioners

NUMBER OF PAGES: 4 including cover page

SENDER: _____ Jim C. Shirley, District Attorney
_____ R. Bryce Shields, Deputy District Attorney
X _____ Kristine Beck, Administrative Clerk II
_____ Lisa Pruitt, Administrative Clerk II
_____ Markus Heimbruch, DA Investigator
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FILED

2012 MAY 24 PM 12:58

IN THE SIXTH JUDICIAL DISTRICT COURT

IN AND FOR PERSHING COUNTY, STATE OF NEVADA

LACEY DONALDSON
DISTRICT COURT CLERK

JIM SHIRLEY,
In His Capacity as District Attorney
Petitioner,
vs.

No. CV 12-11321

THE PERSHING COUNTY BOARD OF
OF COMMISSIONERS, PAT IRWIN
CAROL SHANK, AND DARIN BLOYED
IN THEIR OFFICIAL CAPACITY AS
COUNTY COMMISSIONERS,
Respondents,

JUDGMENT GRANTING PETITION FOR WRIT OF CERTIORARI, MANDAMUS, AND/OR
PROHIBITION

The above entitled matter came before the Court on the Stipulation filed by the Board of Pershing County Commissioners and the other Respondents individually in their official capacity as Pershing County Commissioners. The parties waived a hearing on the matter. The Court, having reviewed the Petition for Writ of Certiorari, Mandamus, and/or Prohibition filed by the Pershing County District Attorney and the Stipulation, does hereby grant the Petition based upon the record before it and does hereby order as follows:

1. The Pershing County Board of Commissioners shall notify Black Rock City, LLC, in writing that Black Rock City, LLC must file an application in accordance with NRS 244.3543 to hold the Burning Man Event in Pershing County in 2012;
2. The Pershing County Board of Commissioners shall provide the Court with a copy of that written notification;

1 3. The Board of Pershing County Commissioners shall, upon receipt of an
2 application from Black Rock City, LLC, hold a hearing regarding the application in
3 accordance with NRS 244.3544;

4 4. The Board of Pershing County Commissioners shall provide the minutes
5 from the hearing held on the Application from Black Rock City, LLC, to the Court;

6 5. The Board of Pershing County Commissioners shall comply with the other
7 provisions under NRS Chapter 244 in relation to outdoor festivals;

8 6. The Board of Pershing County Commissioners shall notify Black Rock City,
9 LLC, in writing that following the 2012 event, the Pershing County Board of
10 Commissioners will no longer comply with any contractual provisions that exempts the
11 Burning Man Event from the County Outdoor Festival Ordinance enacted pursuant to NRS
12 244.345;

13 7. The Board of Pershing County Commissioners shall provide the Court a
14 copy of the written notification to Black Rock City, LLC regarding the written notice
15 that the Board will no longer comply with any contractual provisions that exempts the
16 Burning Man Event from the County Outdoor Festival Ordinance; and
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18 8. The Board of Pershing County Commissioners shall refrain from allowing
19 any agreements which would exempt any outdoor assembly from the requirement that
20 the organizers of the assembly comply with the outdoor assembly provisions found in
21 NRS Chapter 244.

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No other relief has been requested by the parties. Should further enforcement of the orders of the Court herein or other relief be required, either of the parties may file a Motion requesting such further enforcement as needed to carry out the provisions of this Judgment.

DATED THIS th24 DAY OF MAY, 2012.

SIXTH JUDICIAL DISTRICT COURT


HON. RICHARD A. WAGNER
DISTRICT COURT JUDGE